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Hawaiian Gazette.

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Hawaiian Gazette.

TUESDAY, AUGUST 31, 1886.

HAWAIIAN LEGISLATURE.

SESSION OF 1886.
EIGHTY-THIRD DAY.

MONDAY, August 23.
The Assembly met at 10 a. m. After
prayer by the Chaplain, the minutes of
the last meeting were read and approved.

The following petitions were presented:
By Representative Kaulukou, from Fred
Wunderberg, praying that the sum of
\$1,800 be paid him for service performed
by the steamer *James I. Dore* on the Mo-
loka route for thirty six consecutive weeks,
commencing June 2, 1885. Attached to it
was a petition from residents along the
route that the service had been well per-
formed. Referred to committee.

By Representative Castle from one Ka-
lana, praying for an exchange of land.
Referred to Minister of Interior.

By Representative Kalua, from 200 resi-
dents of Lahaina, praying for the removal
of the Government physician at that place.
Referred to Sanitary committee.

By Representative Nahinu, from resi-
dents of South Kona, praying for Govern-
ment assistance to those interested in the
manufacture of taro flour. To committee
on Commerce.

Representative Kaunamano, from the
Sanitary Committee, reported on a peti-
tion from Honolulu, that a pile of manure
near the Branch Hospital be removed.
The committee recommended that the Presi-
dent of the Board of Health be requested
to instruct the officers to have the accu-
mulation removed. Adopted.

The same member from the same com-
mittee read a report, on a resolution that
\$200 be granted as a gratuity to encourage
H. S. Meekapu for curing certain lepers.
The report shows that the committee are
of opinion that some assistance ought to be
rendered to this man, who had used
nothing but native medicines, and recom-
mend that an item of \$150 be placed in the
Appropriation Bill for that purpose.

Representative Dole objected to the
adoption, because it would be a bad pre-
cedent. Any man might say he cured
leprosy and claim a reward. The people
benefitted should pay the doctor, and the
House ought to be supplied with certifi-
cates of the cures from regular doctors.

Representative Kaulukou thought the
doctors seemed to have made up their
minds that leprosy was incurable. It
might be that they were right, but when
he saw a man who had been bad with
leprosy going about the streets cured, it
raised hopes in his breast that something
could be done for the cure of the disease.
If \$1,000 was asked he should vote for it.

The Minister of Interior referring to one
of the cases mentioned by the last two
speakers—that of a native pastor of Wai-
liuku—said he knew that the patient was
in a very bad state, and that a remarkable
change had taken place for the better
under the treatment of Meekapu. His
disease looked like leprosy and was pro-
nounced leprosy, indeed was one of the
worst-looking cases the speaker had seen.

Owing to the common belief that the dis-
ease was incurable, the Board of Health
had been willing to make trials of different
systems that offered any hope, even of
ameliorating the disease. They had tried
African, Hindu and Japanese systems, and
he thought they should stake a little on
the Hawaiian ancient practice. Notwith-
standing the sorcery mingled with the
Hawaiian practice yet the ancient Hawai-
ians had discovered potent remedial virtues
in native herbs. The sum here asked for
was only intended as an encouragement
to a worthy and earnest man, and, al-
though he was doubtful of a complete cure,
yet he believed this worthy Hawaiian
should be voted this small sum.

Finally on vote the report of the Com-
mittee was tabled for consideration with
the Appropriation Bill.

Representative Dole, from the select com-
mittee on a bill to amend the law relating
to the seizure of spirituous liquors, re-
ported a substitute bill and recommended
its passage. Adopted. And on motion the
bill was read a second time by title, passed
to engrossment, and to third reading on
Thursday.

Representative Thurston was granted
further time to present the minority re-
port on the bill relating to the Catholic
mission premises.

Representative Kalua presented the re-
port of a majority of the select committee
"on the complaint of some of the people
on the Island of Lanai, as presented by
the resolution of the Hon. L. A. Thurston."
He read the Hawaiian version and
presented the House with copies of the
report, printed in both languages, which
contains all the evidence taken before the
committee.

Representative Richardson moved, as
the report was presented to each member,
that the reading of the English version be
dispensed with.

The Attorney-General asked who au-
thorized the printing of the report.

Representative Kalua said the commit-
tee had deemed the matter of sufficient
importance to have the evidence laid be-
fore the House along with the finding.

The Attorney-General objected to the
issuing of a campaign document at public
expense, and moved the report be indefi-
nitely postponed.

Representative Kaulukou moved the
House take recess till 1:30, which carried,
the Assembly rising at 12:10.

AFTERNOON.
The Assembly reconvened at 1:45 p. m.
and the consideration of the motion to in-
definitely postpone the majority report of
the Lanai investigation committee, was
proceeded with. On motion the reading
of the English version was dispensed with

The Attorney-General now moved that
the further consideration of the report be
indefinitely postponed.

Representative Thurston was not sur-
prised at this action, nor would he be sur-
prised at any action on this matter by the
Ministerial side of the House. The com-
mittee had gone right to the bottom of
the case, taking witnesses here and exam-
ining them exhaustively. Now it was pro-
posed to throw all of the work of the com-
mittee aside, without looking at the evi-
dence they had procured with so much la-
bor. It was simply another attempt to
whitewash a Minister.

A point of order raised by Rep. Kaulu-
kon was now settled by the President,
and Rep. Thurston proceeded.

Saying: This matter at first took the
Minister by surprise, and he jumped to
his feet and vehemently seconded the
motion for a select committee of investi-
gation. A few days later the Minister
tried to crawl out of the affair and op-
posed the proposal to send the Committee
to Lanai. The committee had been ob-
structed in its work by Rep. Hayselden
persistently absenting himself from the
meetings. When he did come that mem-
ber refused to have anything to do with
the investigation if he (Thurston) was to
be present. At length the committee had
completed its work in a thorough manner,
and now, without a word of explanation,
with not the slightest reason adduced, it
was proposed that the report be thrown
out without looking at it. Was that fair?
Was it decent? Some of them were
elected to support the Government. He
was elected to oppose it. But they were
never sent there to whitewash a Minister.
If they indefinitely postponed this report
without discussion, they would be branded
worse than they were before, as the slaves
of that man over there (Gibson). They
were so regarded all over the country
now, and it had become their notorious
reproach that this was Gibson's Legisla-
ture; that nothing could be done here ex-
cept what he sanctioned; that the Hawai-
ian members were led about with wires
in their noses. If the members were de-
cided to whitewash the Minister they
would do so in spite of all the facts.
Everything charged against the Minister
in the resolution was true. Those people
on Lanai had been deprived of wood,
water and fish for declining to vote for
the Government candidate. They had
been promised a continuance of their
former privileges, in those respects, if
they voted for Mr. Gibson's candidate.
That was the most unblushing bribery.
It was proved that actions were commit-
ted by the Government agents on Lanai,
which were punishable by imprisonment
under the laws. In the evidence of one
of the witnesses, a reference was made to
himself, as having lived unlawfully with
a woman in Wailuku. He declared the
statement to be false, and charged Mr.
F. H. Hayselden, the member for Hono-
lulu, with having instigated the slander.

The Minister of Interior asked the Presi-
dent to call the speaker to order, for un-
parliamentary conduct in naming mem-
bers. The honorable member was never
referred to in that way by speakers on the
Government side.

Representative Thurston said he would
give them all their titles. The Ministers
were honorable *ex officio* if not any other
way. This slander on him showed the
depth of infamy to which the Minister
and his agents had descended.

Representative Richardson thought the
proper course was to lay this report on the
table. It had always been the custom to
lay reports on the table when only a por-
tion of a committee reported. When a
majority reported and an attempt was
made to indefinitely postpone the report,
it looked as if there was some truth in the
charges. He was elected, not to oppose
the Ministers, but was there to do his
duty. It appeared to him, from the efforts
made to indefinitely postpone this report,
that the majority in the House wanted to
shun the truth, and did not want to face
it. He wanted to satisfy himself if there
was any answer to those charges; if there
was any evidence on the side of the ac-
cused, he wanted to hear it. As he said
before, he was not elected to oppose the
Government, but if the Ministers insisted
on postponing this, they would compel
many members to vote against them.

The Attorney-General said that the
member for Molokai seemed to have his
branding iron out to-day. Nature saved
the honorable member from the necessity
of being branded. His vindictiveness, his
narrow-mindedness, and his vineyard vi-
sage—his whole personal appearance—
stamped his character. If any reason
were lacking for his motion to indefinitely
postpone this report, they were furnished
in the vindictiveness, the abusive lan-
guage and the sour visage of the member.
He had called upon the native members
to save themselves from slavery, and then
tried to enslave the members himself. If
they were to be slaves, who should their
master be? Was it the gray-haired pa-
triot at the head of this Government,
or the vindictive, sour-visaged member
for Molokai? The speaker proceeded, de-
nouncing the member for Mol

The Lineage of Queen Emma.

[The following letter addressed to Mr. C. D. Gilman, of Boston, will be of interest to our antiquarians. We publish it so that discussion may quickly take place.—Ed.]

Boston, July 12, 1886.

C. D. GILMAN Esq.—Dear Sir: The article in the *Transcript*, of Nov. 23, 1885, in reference to the children of Mrs. Pamela Crane, and Queen Emma, and calling her grandfather John Young, an Englishman, brought out the reply of Cape Codder in the same paper, Dec. 7, 1885, in which he strongly claims him as a true Cape Codder of the family of Jonathan Young, (and I still believe he was right.) This brought out, Dec. 21, 1885, the reply of "Islander," but Cape Codder was so well satisfied that "Islander" would not be convinced, that he did not answer again, and probably it would have ended here, as far as the family is concerned, had not there appeared another article in the *Transcript*, on March 22, 1886, from "Hawaii," who ridiculed the Crane claim, (as all the other relatives of John, alias David Young, do,) also asking for the line of connection between the Cape Cod brand, and said David or John, which was answered very fully, and to the point, by Cape Codder Jr., and it was so full that it led to a very pleasant acquaintance between yourself and Cape Codder Jr., and I feel that you must acknowledge that with what passed between us and the following extracts of letters, and conversations that I have had with many of the descendants of the brothers and sisters, (all of whom were born many years before the death of John alias David Young, and many of whom were well acquainted with his brothers and sisters, that there is not any doubt, but that John Young of Hawaii, and David Young born at Wellfleet, Oct. 2, 1780, were one and the same person.

Dr. O. R. G., for many years a physician of New York, but lately retired, and now living at Iroquois, Mass., is a grandson of a sister of David Young. He was born at Iroquois, Mass., in 1817, he writes me, from New York, under date of Dec. 23, 1885, in answer to mine calling his attention to the different articles in the *Transcript*, saying he derived many traditional stories from his grandmother, which stories were very pleasing to him in his youth, and he has never heard in question or disputed before, but that David Young was the grandfather of Queen Emma of the Sandwich Islands, now deceased, and so strong was the evidence that when she visited this country about twenty years since, the descendants of the Youngs, in New York, were about to give her a reception at the Fifth Avenue Hotel, when she received a telegram from San Francisco to hasten home, as some of her relations were near death, and this put a stop to the proceedings.

Mrs. Sarah D. H., born Sept. 12, 1818, writes me, Jan. 6, 1886, she has often heard her mother say that her grandfather was of the name of Young, and called to David, (or John Young, as he is now called,) we have no doubt that he is grandfather Young's son, I have heard mother say he went on a foreign voyage, and it has been told to me that a man came here from the Sandwich Islands, and talked with Aunt O.—, and Uncle Jonathan, who knew David Young well, and he talked of coming home and visiting his people, but his wife's friends were not willing for him to come. (We all know that when a vessel arrived anywhere near to the place where John, alias David resided, there was an extra watch of guard put over him, so that he could not leave, many Hawaiian whites confirm this.)

I could write out statements from most, if not all of the following, and many others of the descendants of Jonathan and Rebecca (Harding) Young, (the parents of David Young) who all truly believe that John and David are one and the same person, and many of them think he sailed from Newburyport, viz:

Susanna H., born Nov. 19, 1802, living at Wellfleet; Mrs. Elvira M., born Sept. 18, 1805, now living in Boston; Freeman M. D., born July 1, 1801, now living at Hoxbury; Mrs. Minerva G., born Oct. 12, 1807, now living at Wellfleet; Mr. George D., born July 20, 1814, now living at Hoxbury; Mrs. Betsey R., born April 4, 1815, now living at Hoxbury; Mrs. Juliana R., born April 14, 1813, now living at Nahama, N. H. I could give others from different parts of New Hampshire, Massachusetts, and other States, but the above, who are all living at the present time, and all in good health, together with a few more extracts of letters, and of conversations, I think will be sufficient to prove that John and David were one and the same person.

Mrs. Ann C. A.—born 1812, writes me under date of April 13, 1886, as follows: "This David Young, supposed to be John Young, of the Sandwich Islands, was born in Wellfleet, and I have heard my grandmother, Abigail (Young) G. speak of her brother David and also others of the family as going away, there have never been any letters from him to my knowledge, but a gentleman came to my father's, and gave my mother an account of a man by the name of Young, living at the Sandwich Islands, and how much good he had done by helping the natives turn from their idols, and worship the true God. He told this man that he wanted to visit his native land, but if he did, he would have to leave his wife and all that he possessed. I have never heard of any Englishman in the family, except the old Dr. John Young, who married Rebecca Young, who was a sister of David, and I was well acquainted with most of the children of Jonathan and Rebecca (Harding) Young. Freeman M. D.—born July 1, 1801, tells me that when he was a child, he often had a hat to play with, which he also worn, that was said to have belonged to his greatuncle David, who went to the Sandwich Islands.

Mrs. Rebecca G. C.—of Provincetown, born April 17, 1815, writes me under date of March 4, 1886, as follows, speaking of the sons of Jonathan and Rebecca (Harding) Young: "David went to the Sandwich Islands and died there, at an advanced age in 1835." It is said that he went out as boatwain of the *Eleanor* in the year 1780.

Mrs. Oliver P. B.—born April 11, 1824, writes me on Aug. 27, 1886, as follows: "I think David Young my mother's Uncle, must have sailed from Newburyport, his brother Jonathan lived there." Mrs. Maria L. N.—born Aug. 19, 1815, writes me in letter dated June 25, 1886, that the town from which the *Eleanor* sailed with David Young as boatwain was Newburyport, which you will also find by searching the old records. (The above lady is a niece of Pamela Crane.)

I have many other replies from other descendants of the Young family, showing that it was generally understood that Newburyport was the place that John, alias David Young sailed from. On June 17th last, I visited Plymouth, Mass., and while there, I called upon Mrs. Miriam A.—a grand daughter of Abigail Young—she was born Feb. 23, 1820, and she stated to me that she remembered in her youth to have seen at her mother's house, some persons who had lived for sometime at the Sandwich Islands, who claimed to know seeing her Uncle Jonathan Young G.—who happened to be there at that time, why how much you look like a Mr. Young that lives at the Sandwich Islands, you look enough like him to be his own brother, (I don't know that I have written the above in the exact words used by Mrs. A.—but I have given the purport of them.) This Jonathan Young G.—of whom she speaks was a brother of the celebrated ten sisters, all daughters of Abigail Young. He was a good Christian man, and found of reading missionary histories, &c., and among his books found among his effects, after his death, was the history of the Hawaiian Island, by B. Anderson, D. D., and on pages 66 and 67 John Young in his testimony, written at Kaniakoa, on the 27th of Nov. 1826, gives his testimony decidedly in favor of missionaries, and tells of the great benefits derived from Christianity, in destroying superstition and idolatry, etc., and fastened into this book opposite the above, is a small piece of paper, written upon it, in the handwriting of that staunch old Christian, Jonathan Y. G.—are these words, "This is the testimony of our long lost Uncle David," now no one that ever knew this man, will ever believe that he wrote these words, and was writing perfectly satisfied that he knew what he was writing about, and I have been told by others, that a messenger once came to him from the Sandwich Islands, but what the purport of that message was, we do not know.

We all call Chinamen John Chinamen, and there is no doubt that David, was called John Englishman, and so went by that name. About June 9th, 1886, being satisfied that the Custom House records of Newburyport, Mass. from 1780 to 1801 had been removed to Washington D. C., for some cause, I wrote the Department at Washington for a copy of the records of the ship *Eleanor* for 1780 or 1781, and received in reply, that there were no records of Manifest from Newburyport, recorded only for the years 1795, 1796 and 1797, and that there was no such vessel as the *Eleanor* recorded for 1780 or 1781. I learning that the records of Salem and Boston, Mass. were also at Washington, D. C., wrote July 1, 1886, asking that these records be looked over, and their reply is that there is no records of crews from either place. I was told before writing that I need not expect to obtain a list of crews, as they were afraid that I was wanting them for the purpose of proving French claims, etc.

As reason of my writing my second letter to Washington, D. C., was from the fact that in the Storage department of the Boston Custom House

on Long Wharf, I found that on Jan. 22 1790 a vessel supposed to be a schooner by the name of *Eleanor*, sailed from Boston, and I found that the whole record of this case, had been sent to Washington, D. C., and I am in hopes at some future time, to be able to find some one, that has influence enough, to obtain for me a different answer than the above. The case that contained the above was No. 86. I don't know that I have anything more to write you at this time and should have sent you this before, only I have been waiting to hear from a Mrs. B.—born April 1813, (a niece of the celebrated Pamela Crane), who resides either in New Hampshire or Vermont, of whom it has been told to me by other parties, that persons who had been well acquainted with Queen Emma, only you are not so dark as she. I am in hopes sometime of obtaining the above story in a different form. Many of the descendants of the Youngs, are also descendants of that early historian and genealogist of New Hampshire, John Tanner of Concord, N. H. Respectfully yours, CAPE CODDER.

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Insurance Company of Hartford, Connecticut.

CASH ASSETS JANUARY 1ST, 1884 \$1,411,894.41

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Manila Cordage, Sisal Cordage, Oak Lumber, White Wood do, Walnut Lumber, Ash Lumber, Eastern White Pine Lumber, Refrigerators, Cs. Tin Tomatoes,

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1/2 Bbls. Mineral Paint, Mammoth Rockers, Book Cases, Assorted, Extension Top Carriages, Cases Corled Hair, Drums Caustic Soda,

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Iron Ships Jupiter, Chilena and other

Vessels Direct from London,

The Following Goods:

TUESDAY, AUGUST 31, 1886.

It is plain, however, that we shall need money for the purposes of immigration; roads, bridges, wharves and harbors. We should also subsidize, to some extent, the Hamakua railway, and there are other works of public utility which could be of permanent advantage to this country and which would in course of time, return their cost to the country many times over producing a good revenue in return. To carry out these works the income of the country is not sufficient, and a loan would be of advantage undoubtedly. But who is going to guarantee that money loaned to such men as the Minister of Interior

These remarks were commented upon shortly after they were written, and the GAZETTE showed how utterly incapable the President of the Board of Health was to judge whether Dr. Arning's report was incomplete and inconclusive or not. The upshot of the matter being that Dr. Arning was dismissed. When the correspondence between the Board and Dr. Arning was made public, nearly all the doctors here protested against the action of the Board, and requested that in the interests of science and humanity Dr. Arning's services should be retained: together with our prominent citizens, they guaranteed a fund for paying Dr. Arning a sufficient

In answer to a correspondent, I reply :
Yes, Dare had a father who gave us ten cents
The mission expenses to pay:
The son has not done quite as much for us yet.
Because he ain't built that way. Sir.

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Supreme Court of the Hawaiian Islands— July Term, 1886.

ERNEST MALANI, ET AL. VS. PUIHI, ET AL.
JAMES R. HOLT, JR. VS. JOHN BRODIE.

Opinion of Chief Justice JUDD.

In each of the above entitled cases a motion is made for a new trial by the respective defendants on the general ground of misconduct of the jury. The first named case was tried on the 13th and 14th of July and resulted in a verdict for plaintiff which was rendered at 11:30 p.m. on the 14th. The case of Holt vs. Brodie began in the afternoon of the 15th and continued till noon of the 16th July.

On both of these cases three of the jurors were the same, to wit: Jim Nakona, J. Kapon and Wahia.

By the affidavits on file in both cases I find that when the Holt and Brodie case was concluded one Bill Perry, a "cow boy" of Holt's, who had been a witness in his case, applied to his employer just after the verdict was rendered for some money to buy fish for a dinner and for liquor for himself and other witnesses who were then staying at William Holt's, plaintiff's brother. Money was given to buy fish and gin was provided. The jurymen J. Kapon standing outside the Court House said he was hungry and Perry invited him and several other jurors to come along with him and get something to eat. The jurymen went to Holt's house and there had a dinner of fish, pot and gin. There were present of the Holt and Brodie jury, Jim Nakona, Wahia, Elama, Holimoko, and J. Kapon, and of the Ekekele and Puihi case, the jurors, J. Kapon, Jim Nakona and Wahia already named, Nakolewa, Chas. Lewis Aimo and also Ekekele of the panel but not drawn on either case.

The affidavits fail to disclose anything to connect the successful plaintiffs in either case with this refreshment which seems to have been so eagerly accepted by the jurors.

To punish litigants by setting aside a verdict for accepting refreshments given by a witness in the case, without connecting them with the transaction, would be a stretch of authority by the Court which is not warranted by the law.

It is a matter of constant regret to the Court that the Hawaiian panel of jurors are mainly composed of men of such circumstances of life that the honorarium of \$2 per day and \$1 for each verdict rendered is so important as to make them ready to accept favors from litigants.

I refer to the case of Kakecheki vs. D. Kahana 4 Haw. Rep. 481, where the Court says that the practice of treating jurors is condemned as a species of bribery—but in that case the successful suitor himself invited the jury to dine at his expense while they were leaving the room. In Rex vs. Makawao 5 Haw. Rep. 1883 the Court held that the fact that the prosecuting witness paid for the dinners for several jurors, after they had convicted the defendant, when asked so to do by the jurors, was not misconduct of sufficient gravity to warrant the Court in setting aside the verdict.

I think that jurors who have so little sense of honor as to accept any similar favors, in connection with their duties as jurors, from any one are unfit to be selected as jurors, but the fact that Holt's was not furnished to the jurors by the parties litigant or with their knowledge and so is not sufficient ground for a new trial.

In the Ekekele vs. Puihi case, Kaunaloa, one of the defendants deposes that two of the jurymen who sat on the case had a conversation in his hearing to the effect that they knew that this case was coming on to be tried that day, and that Kakecheki remarked that the Court was an Aha hoapai paawaea—"a Court whose judgments are unjust." This was, if true, no doubt, a disrespectful remark. But counsel say that this shows that these jurors had heard of the case, and that they had violated their oaths on the voir dire to testify truly as to their qualifications as jurors, by answering that they knew nothing of the case. The testimony of jurors as to their competency is not taken down, unless an exception should be taken to the accepting or disqualifying of a juror. But the objection was, as appears by the affidavit, known to the defendant, Kaunaloa, and he should have informed counsel of it, and the juror confronted with it before he was sworn to try the issue.

It is now too late.

To my mind, the most serious matter is that raised by the affidavit of Ching On, who deposes that he had an ejection case on for trial at the July term, and on the first day of the term four of the Hawaiian jurymen, two of whom whose names he gives but which I withhold, came to him and said that in ejection suits the man who had the most money always won; that the defendant in that case had offered them \$300, but if he would give them \$400 they would decide in his favor; that he afterwards saw these four jurymen in the defendant's house, and being afraid of them, waived jury.

If the defendant had actually bribed the jury, it is not likely he would have consented to waive the jury.

But, without question, a bribe solicited by a juror would disqualify him from sitting in any case, if known to the Court—even if the bribe was refused to be given by the party litigant. But though this affidavit, if supported, would show a terribly corrupt state of morals among the Hawaiian panel of jurors, it is not ground for new trial after verdict, for the corrupt solicitation was not made in either case now being considered. If ground at all, it ought to upset every one of the cases tried at this term in which these jurors sat.

The motion for new trials are refused.

L. Thurston and J. M. Mousarrat for Puihi et al.; A. C. Smith for J. Brodie; Kinney & Peterson for both plaintiffs.

Honolulu, August 6, 1886.

Supreme Court of the Hawaiian Islands— In Equity.

HEINRICH PETERSON, DIEHRICH SCHRIEVER, LUCIE GERINA SCHRIEVER, BEHNERS, JOHANN BEHNERS, SOPHIA CHARLOTTE SCHRIEVER, WATSON, ADRIED REBECCA SCHRIEVER, OTHELING, FRIEDRICH WILHELM OTHELING, and FRIEDRICH HEINRICH MEYERS, vs. JOSEPH LAZARUS.

Opinion of CHANCELLOR JUDD.

This is a bill for specific performance of a contract in writing, being an auctioneer's entry, of his sale at auction, of a parcel of land in Honolulu, as follows:

Real Estate Sale. E. P. Adams.

Terms Cash in U. S. Gold Coin. Administrator's Sale.

By order of H. F. Glade, administrator of the estate of Hermann Schriever deceased, I will sell at public auction, Saturday March 7, at 1 o'clock p.m., at a place, that valuable piece of land on King street, adjoining the Bethel, and formerly occupied by J. Weik, with the buildings and improvements thereon, containing an area of 64 fathoms and 27 feet more or less, as per Royal Patent 298. Sold to J. Lazarus for \$2,800.

The defendant refuses to receive the deed, which was tendered by the vendors, on the ground that the land, instead of being 64 fathoms and 27 feet, as described in the auctioneer's advertisement of sale, and memorandum thereof, is in fact but 82 fathoms and 16 feet, or about one half, but is willing to take the premises, when a proportionate reduction in the purchase money has been made for deficiency in area, below the amount called for by the contract.

The deeds under which H. Schriever held, contained surveys of the lot in two portions, but the area was not given, and counsel, who examined the title, reported the area as per the Royal Patent No. 298, not knowing that by previous sales about one half of the original lot, as per Royal Patent, had been sold to other parties. This mistake was not discovered until after the sale. The lot however, was described in the advertisement as the land on "King street adjoining the Bethel, and formerly occupied by J. Weik."

The premises were visible and capable of identification. They were bounded on the one side by King street, one end was bounded by the Bethel vestry building, and on the opposite end by the Anchor Saloon building, and along the interior line was a board fence 15 feet high. There were two buildings on the premises with a passage way between them which covered the entire front of the lot.

The defendant admits he inspected the premises and saw that it was "shallow" previous to the sale, but denies the statement of Mr. Adams, the auctioneer, that he paced off the frontage on King street. He insists that he based the bid at auction on the announced area of 64 fathoms and 27 feet, and that it was figured for him by Mr. Adams as containing 2381 square feet. These statements are denied by Mr. Adams. But however this may be, the defendant knew he knew he was not buying any part of the Bethel or Anchor Saloon premises, and knew that the lot as bounded by the fence, was shallow.

On these facts I think the case comes under the principle held in Noble vs. Grogins 9 Haw. Rep. 238, where the Court declined to allow a proportional abatement in price, because the land in question,

a wharf lot in Boston, "was stated in the agreement to be bounded by abutments in the possession of persons named, the limits of which would apparently be manifest upon looking at the premises &c."

I think that, considering all the information defendant had as to the size of the lot, it cannot be said that there is gross or mistake in the very essence of the contract, for the defendant well knew exactly what he was buying. Other objections were made by defendant to the deed &c., but as they were abandoned at the final argument I will not discuss them here.

I think the plaintiffs are entitled to specific performance, and a decree may be taken out accordingly.

L. A. Thurston for plaintiffs; R. F. Bickerton for defendant.

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The fatal rapidity with which slight Colds and Coughs frequently develop into the gravest maladies of the throat and lungs, is a consideration which should impel every prudent person to keep at hand as a household remedy, a bottle of AYER'S CHERRY PECTORAL.

Nothing else gives such immediate relief and works so sure a cure in all affections of this class. That eminent physician, Prof. F. Sweetzer, of the Maine Medical School, Brunswick, Me., says:—"Medical science has produced no other anodyne expectorant so good as AYER'S CHERRY PECTORAL. It is invaluable for diseases of the throat and lungs."

The same opinion is expressed by the well-known Dr. L. J. Addison, of Chicago, Ill., who says:—"I have never found, in thirty-five years of continuous study and practice of medicine, any preparation of so great value as AYER'S CHERRY PECTORAL, for treatment of diseases of the throat and lungs. It not only breaks up colds and cures severe coughs, but is more effective than anything else in relieving even the most serious bronchial and pulmonary affections."

AYER'S Cherry Pectoral

Is not a new claimant for popular confidence, but a medicine which is to-day saving the lives of thousands of persons who have come into being since it was first offered to the public.

There is not a household in which this invaluable remedy has once been introduced where its use has ever been abandoned, and there is not a person who has ever given it a proper trial for any throat or lung disease susceptible of cure, who has not been made well by it.

AYER'S CHERRY PECTORAL has, in numberless instances, cured obstinate cases of chronic Bronchitis, Laryngitis, and even acute Pneumonia, and has saved many patients in the earlier stages of Pulmonary Consumption. It is a medicine that only requires to be taken in small doses, is pleasant to the taste, and is needed in every house where there are children, as there is nothing so good as AYER'S CHERRY PECTORAL for treatment of Croup and Whooping Cough.

These are all plain facts, which can be verified by anybody, and should be remembered by everybody.

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Thirty days notice must be given at the Bank of an intention to withdraw any money; and the Depositor's Pass-book must be produced at the same time.

No money will be paid except upon the Draft of the Depositor, accompanied by the proper Pass-book.

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MERCHANT STREET,

(CAMPBELL'S BLOCK)

Has on Hand and Offers For Sale

To the Trade and Public, the Best Brands of

ALES, WINES & SPIRITS.

Special attention is drawn to the Celebrated

ALES & PORTERS of

E. & J. Burke's

McKENNA'S

KENTUCKY WHISKEYS

—AND—

L. DELMONICO'S CHAMPAGNES.

Orders Filled with Promptness and at the usual Prices

for any of the Brands of

Gins, Brandies, Whiskeys

OR BITTERS,

USUALLY OBTAINED IN THIS MARKET.

An experience of several years in the WINE & SPIRIT Business is a guarantee that the interests of customers will be properly served. 1107 1m

CRYSTAL SODA WORKS

Our Goods are Acknowledged the Best!

NO CORKS

We Use Patent Stoppers

In all our Bottles. Families Use no

Ginger Ale but ours

CHILDREN CRY FOR

OUR SODA WATER

We deliver our Goods Free of Charge to all parts of the City.

Careful attention paid to Island Orders: Address

The Crystal Soda Works,

P. O. BOX 397. HONOLULU, H. I.

OUR TELEPHONE IS NO. 298.

Orders left with Benson, Smith & Co., No. 11

ort Street, will received promptly. 1121 3m

J. M. Oat, Jr. & Co.,

STATIONERS

—AND—

News Dealers

Hawaiian Gazette Block, 27 Merchant

Street, Honolulu, H. I.,

Keep constantly on hand all the latest Periodicals of the day. Any publication ordered as desired.

SPECIAL ORDERS RECEIVED FOR

Books.

Blank Books,

Memorandum Books,

Press Copy Books,

Inks, Mucilage,

Letter and Note Papers,

ENVELOPES, and everything in connection with the Stationery Trade.

THE FOLLOWING BOOKS ON HAND:

Kamehameha.

Dogs of Great Britain and America.

Every Horse Owner's Encyclopedia.

Campaigns of General Stewart.

Congo, the Foundation of its Free States.

Life of U. S. Grant, Works of Chapman, Ramona.

HONOLULU, BY MRS. G. P. JUDD.

Beacon Lights of History.

Twenty Years in Congress.

HYMNS, ANCIENT AND MODERN.

Boots and Saddles.

Thyrs, The Prehistoric Palace of the Kings of

Tyrs.

Haswell's, Transylvanian.

Goodwin's Improved Book keeping.

Folio of Music, Son & Folio,

HAWAIIAN PHRASE BOOKS,

Japanese Phrase Books,

Portuguese and English Phrase Books,

Aims French Course,

Principia Latina.

ST. NICHOLAS SONGS.

Dr. Smith's Smaller History of Rome,

Greek Lessons.

Goodwin's Greek Grammar.

HARPER'S CLASSICAL LIBRARY.

Andrew's Hawaiian Dictionary.

Bibles and Prayer Books,

Kalani of Oahu.

HAWAIIAN MUSIC, Etc., Etc., Etc.

Red Rubber Stamp Agency

1117 3m

REMOVAL.

A. H. RASEMANN.

BOOK BINDER AND

Paper Ruler

(Formerly in the Gazette Block.)

Inform his friends and the public generally that he has removed to more spacious premises, DIRECTLY OPPOSITE THE OLD STAND, in the CAMPBELL BLOCK, where he is now prepared to do work in his ne. Patronage respectfully solicited. 1161

General Advertisements.

CALIFORNIA WINES!

The growth and manufacture of Pure Wines in California has surprised the most sanguine. Although small manufacturers, through probable ignorance and carelessness, turn out inferior Wines, it has been the ambition of

Messrs. Arpad Haraszthy & Co.,

To produce Wines that are absolutely Pure, and they are the ONLY HOUSE in California that Manufactures PURE CHAMPAGNES produced by the natural process of fermentation in the Bottle.

The importation of MESSRS. ARPAD HARASZTHY & CO.'S Wines into this Kingdom, from October 7th, 1885, to March 31st, 1886, being nearly two-thirds of ALL OTHER MANUFACTURES PUT TOGETHER, is a guaranty of their popularity, and that they are far superior to any Wines manufactured.

Sherry Wine, Port Wine, Tokery Wine, Zinfandel, Claret, Table Claret, Burgundy,

ECLIPSE CHAMPAGNE!

Madeira, Sweet Muscat, Angelica, Malega, Hock, Gerke, Reising, White Wine, Gutedel.

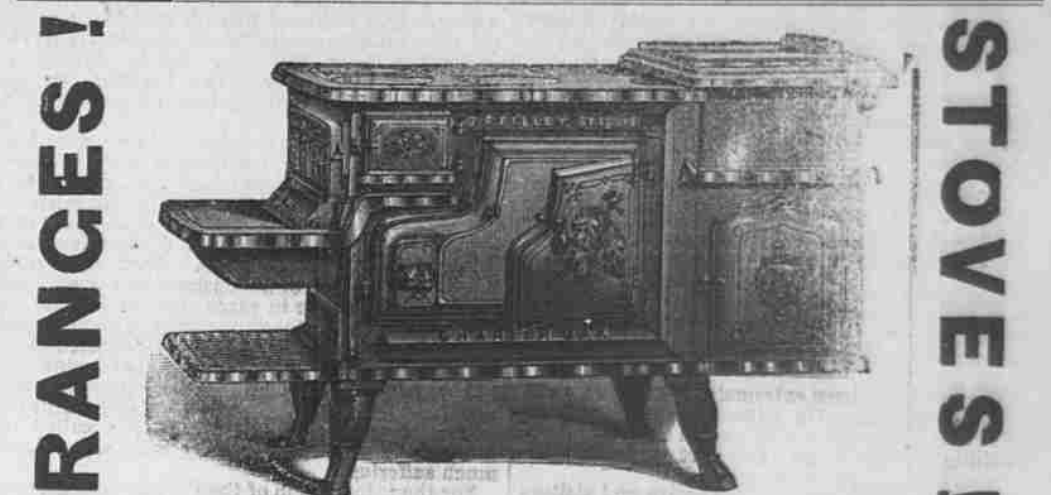
Also, just arrived direct from Milwaukee, in bond,

An Invoice of Falk's Milwaukee Pilsener Beer.

HAMILTON JOHNSON, SOLE AGENT

Merchant Street, Honolulu.

(1115 tfo)



JOHN NOTT,

At the Old Stand, No. 8 Kaahumanu Street,

TIN, COPPER & SHEET IRON WORKER

PLUMBING, in all its branches;

Artesian Well Pipe, all sizes;

STOVES AND RANGES

Uncle Sam, Medallion, Richmond, Tip Top, Palace, Flora, May, Contest, Grand Prize, New Rival, Oper, Derby, Wren, Dolly, Gypsy, Queen, Pansey, & Army Ranges, Magna Charter, Buck, Superior, Magnet, Osceola, Alameda Eclipse, Charter Oak, Nimble, Inwood and Laundry Stoves, Galvanized Iron and Copper Boilers for Ranges, Granite Iron Ware, Nickel Plated and Plain;

Galvanized Iron Water Pipe, all sizes, and laid on at

Lowest Rates; Cast Iron and Lead Soil Pipe,

House Furnishing Goods, all kinds.

RUBBER HOSE—ALL SIZES AND GRADES; Lift and Force Pumps, Cistern Pumps, Galvanized Iron, Sheet Copper, Sheet Lead, Lead Pipe, Tin Plate, Water Closets, Marble Slabs and Bowls, Enameled Wash Stands,

Chandeliers, Lamps, Lanterns

1122 3m

PLOWS OF THE LATEST PATTERNS!



General Advertisements.

General Advertisements.

New Advertisements.

General Advertisements.

HOLLISTER & CO.

WHOLESALE AND RETAIL

Druggists and Tobacconists,

109 FORT STREET,

TELEPHONE 49 BOTH COMPANIES TELEPHONE 49

MANUFACTURERS OF

Ginger Ale, Soda Water, Lemonade, &c

—FACTORY—

37 Hotel Street. Telephone 71, Mutual.

BENSON, SMITH & CO.,

DRUGGISTS,

Nos. 113 and 115 Fort Street, Honolulu,

DEALERS IN

Pure Drugs, Chemicals,**Toilet Articles, Trusses,****Etc., Etc., Etc.,**

J. C. Ayer & Co.'s Preparations,

Boschee's German Syrup,

Green's August Flower,

Horsford's Acid Phosphate,

Fellow's Syrup,

Warner's Safe Cure

Kennedy's Discovery, Hop**Bitters, St. Jacob's Oil,**

Barry's Tricopherous,

Burnett's Cocaine,

Vaseline Preparations,

Colgate's Toilet Soaps,

Ricksecker's Skin Soap,

Hoyt's German Cologne,

Maile Cologne, Etc.,

SPONGES: TOILET, BATH AND CARRIAGE!**BUHACH, the Great Insect Destroyer.****Loreicke & Schreck's Homœopathic Medicines**

Etc., Etc., Etc.

**COME AND SEE THE
New Goods! New Goods!**

—AT—

The Popular Millinery House

104 Fort Street, Honolulu, H. I.

N. S. SACHS, PROPRIETOR,

Just Received an entire Stock, consisting of

Laces, Embroideries,

Hosiery, Neck War,

Underwear, Corsets,

Gloves, Mitts, Etc., Etc

Also a Complete line of

Black and Colored Cashmeres

The MILLINERY DEPARTMENT is entirely restocked with Latest Styles

LADIES' & CHILDREN'S HATS, TRIMMED AND UNTRIMMED

Latest Novelties in Fancy Feathers, Plumes, Etc. Native Straw

Sewed in all Shapes.

WEST, LOW & CO.,

Have Just Received a Large Invoice of Furniture

Consisting of Parlor and Bedroom Sets, Bureaus, Washstands, Wardrobes, Sideboards, Single and

Double Bedsteads, Rockers, Chairs, Lounges, Extension and Center Tables (large and

small) Hard & Soft Wood AT BED-ROCK PRICES.

Furniture repaired and removed at short notice. Not trouble to show Goods, or answer questions by letter

from the other Islands. Please call and examine our Goods before purchasing elsewhere.

DURING THE GREAT FIRE

IN HONOLULU, THE

Macneale & Urban**FIRE-PROOF SAFE!**

Stood the test of 65 Hours exposure, Successfully!

The Macneale & Urban

Is the Only Eight-Flange Safe made in the World.

The Macneale & Urban**SAFE**

Contains more improvements than any Safe ever made, such as Round Corners, Solid Welded Angle Iron Front and Back, patent inside Bolt-work, Hinged Cap and Four Wheel Combination Lock.

A Large Stock Constantly on Hand!**C. O. BERGER,**

HONOLULU,

General Agent for Hawaiian Islands.

Mr. L. B. KERR

HAS

Just Received, Ex Mariposa,

From Great Britain

A VERY FINE

SELECTION of GOODS

—SUITABLE FOR—

GENTLEMEN'S WEAR!

—EMBRACING THE—

Latest Styles

Gentlemen Please Call and Examine these Fine Goods

Fine Fit and Prices to Suit all. 1121 3m

**Geo. Lucas,
CONTRACTOR & BUILDER****Honolulu Steam Planing Mills,**

Esplanade, Honolulu, H. I.

Manufactures all kinds of

**Mouldings, Brackets,
Window Frames,
Blinds, Sashes, Doors**

And all kinds of Woodwork Finish

Turning, Scroll and Band Sawing!**ALL KINDS OF****Planing and Sawing,**

Morticing and Tenancing.

ORDERS PROMPTLY ATTENDED TO

And Work Guaranteed.

Orders from the other Islands solicited.

Honolulu, May 2, 1884. 1095 1y

BROWN & PHILLIPS,**PRACTICAL PLUMBERS.****GASFITTERS AND COPPERSMITHS**

No. 71 King Street, Honolulu, H. I.

House and Ship Job Work

PROMPTLY ATTENDED TO.

Bath Tubs, Water Closets, Wash-Bowls,

And all Kinds Plumbing Goods,

1101 ALWAYS ON HAND.

HAWAIIAN SOAP WORKS!**GREY & CO.,**

Manufacturers and Dealers in

ALL KINDS OF SOAPS,

Lecith, King Street, Honolulu.

Beef, Mutton and Goat Tallow wanted. Orders left at

Bolles & Co's, Queen Street, will meet with prompt at

tention. 1095 1y

TELEPHONE 55.**ENTERPRISE****PLANING MILL**

ALAKEA NEAR QUEEN STREET.

C. J. HARDEE, : : Proprietor.**Contracting and Building.**

Mouldings and Finish always on hand.

FOR SALE—Hard and Soft Storewood, Cut and S-lit. 1121 3m

SPAYING CATTLE!**RANCHERS WISHING TO**

have Cattle spayed, will do well to call on

As GRAMBERG, who has been very successful

in Spaying on these Islands, and can furnish numerous

testimonials. He will insure loss if desired, and

charges moderate. Persons wishing to learn how to

spay, will find him willing to show them.

Please address A. GRAMBERG,

Care Jürgen Wolter, 34 Fort St.,

Honolulu. 1104 3m

**The Equitable Life Assurance Society
OF THE UNITED STATES.**

From the beginning, the Equitable has been the pioneer in all reforms affecting the security, convenience, and advantage of policyholders. It was the first company to issue incontestable policies; the first to make such policies payable immediately, instead of after the delay of a stipulated number of months; the first to simplify the policy contract, and remove from the business technical and confusing complications; the first to apply the Tontine principle to life assurance; the first to issue a policy guaranteeing the payment of the entire reserve and a full share of the accumulated profits to each policy holder at the end of a stipulated period; the first to introduce the Semi-Tontine policy, which, in addition to all the ultimate advantages secured under the Tontine system, is "non-forfeiting," and has a surrender value during its earlier years.

During the twenty-six years and a half of its history, it has written \$105,000,000 more of assurance than any other company during the same period!

No other company has approached the Equitable in the success achieved and surplus accumulated, and the results of management in the past furnish the best guarantee for the future, to intending assurers.

Assets, January 1, 1886.....	\$ 66,553,387 50
Liabilities, 4 per cent. valuation.....	52,691,148 37
Surplus.....	\$ 13,862,239 13
(Surplus on N. Y. Standard 4 per cent. interest, \$ 17,495,329 40).	
New Assurance in 1885.....	\$ 96,011,378 00
Outstanding Assurance.....	357,338,246 00
Total Paid Policyholders in 1885.....	7,138,689 05
Paid Policyholders since organization.....	88,211,175 63
Income.....	16,590,053 13

Insurance issued on all approved plans.

Alex. J. Cartwright,

1111 1y

General Agent for Hawaiian Islands

New Goods by Late Arrivals

FROM SAN FRANCISCO,

NEW YORK & ENGLAND.

Received by Castle & Cooke

ALSO, TO ARRIVE BY VESSELS DUE FROM ABOVE PORTS, AND

To BE SOLD AT LOWEST RATES

GOODS.

Suitable for Plantations, Country Stores

Or FAMILIES. Orders Filled at Shortest Notice and with Satisfaction to Purchasers. Attention is Called to Our

Improved Paris PLOW

THE ONLY GENUINE PARIS PLOW, MADE OF POLISHED CAST STEEL, and Guaranteed Equal, if not Better, than any Steel Breaking Plow in the Market. Also, other makes of Plows on Hand of Moline Plow Co., John Deere & Co., &c. Gang Plows, Horse Hoe, Planet Jr., Chain Knives, made of best steel to our order; Planters' Hoes, 1, 2 and 3; Scyth Snaths, Ax- and Pick Mattocks, Pick, Hoe, Adze, O-o, Axe and other handles; Baldwin Feed Cutters, Leather Belting, 3 to 12 inch, best quality; India Rubber Hose, 1/2, 3/4, 1, 1 1/4, 1 1/2 and 2 inch; Ox Yokes, Ox Bows, Axes, for horses and mule carts; Portable Forges, Eagle Anvils, Canal Barrows, Soapstone and Asbestos Steam Packing, Best Flat India Rubber Steam Packing, 1/2 to 1/4 inch; Babbit Metal, Lace Leather and Lacings, India Rubber Steam Packing, round and square, all sizes; Asbestos Boiler Covering and Steam Pipe do., Machinery Oils; Lard, castor and cylinder; Neats Foot Oil.

DISSTON'S CELEBRATED SAWS AND FILES, ALL SIZES:

Spear & Jackson's and Stubb's Files, Hammers for Carpenters, Machinists, Blacksmiths & Horseshoers. Cut and Wrought Nails, all sizes; Horse and Mule Shoe Nails, Cut Spikes, Horse & Mule Shoe. Latest Improvements in Shelf Hardware. Hubbuck's B.L. Oil, at Very Low Rates; Hubbuck's White and Red Leads, Zinc, Small Paints in Oil, Blake Manufacturing Co's Steam Feed, Irrigating and Vacuum Pumps, Weston's Patent Centrifugals, Barbed Wire, Plain Fencing Wire, Galvanized Roofing.

STAPLE DRY GOODS

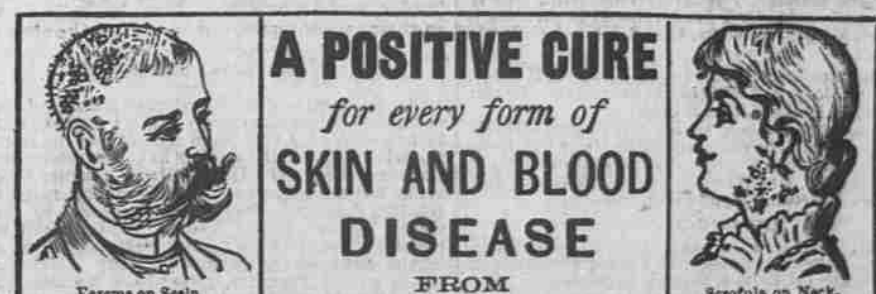
Denims, 3 and 9 oz; Tickings, A C A; B and D Bleached and Unbleached Cottons, Russia Diaper, Brown and Bleached Drills, Linen Sheetings, Mosquito Lace Net, Blue and Scarlet Flannel, A Fine Assortment of White Flannels. Also,

STAPLE GROCERIES, Golden Gate, Star & Superfine Flour

Columbia River Salmon, Bayo Beans. Also, California Lime, Portland and Hydraulic Cement.

For Kerosene Oil We Offer THE PALACE, and Guarantee it cannot be beat for quality or price; also, THE**VULCAN, a good oil and above test:****WOODWARD & BROWN'S CELEBRATED PIANOS**

The Cheapest Good Piano; New Haven Organ Co.'s Parlor Organs

Cuticura**A POSITIVE CURE**

for every form of

SKIN AND BLOOD**DISEASE**

FROM

PIMPLES TO SCROFULA

DISFIGURING HUMORS, Humiliating Eruptions, Itching and Burning Skin Tortures, Lathsome Sores, and every species of Itching and Perspiration of all Impurities and Poisonous Elements, and thus removes the CAUSE. Hence it cures speedily, permanently, and economically.

Itching and Burning Skin Diseases, Bakers', Barbers', Grocers', Washwomen's Itch, Itching Piles, and Delicate Irritations peculiar to both sexes, instantly relieved by a warm bath with CUTICURA SOAP and a single application of CUTICURA, the great Skin Cure. This repeated daily, with three doses of CUTICURA RESOLVENT, will speedily cure Itching Diseases of the Skin and Scalp, when all other means absolutely fail.

A Magnificent Popular Work on the Skin, with Engraved Plates, is wrapped about the RESOLVENT. Also, one hundred Testimonials, solemnly sworn to before the British Consul, which repeat this story: I have been a terrible sufferer for years from Diseases of the Skin and Blood; have been obliged to shun public places by reason of my disgusting humors; have had the best physicians; have spent hundreds of dollars, and got no relief until I used the CUTICURA REMEDIES, which have cured me, and left my skin and blood as pure as a child's. Send for our sixty-four page book, "How to Cure Skin Diseases." Address

HAWAIIAN CONSIGNEES, Benson, Smith & Co., Honolulu.

Cuticura, the GREAT SKIN CURE (a Medicinal Jelly for external use), instantly allays Itching and Inflammation, clears the Skin and Scalp of Humors, Sores, and Dandruff, destroys Dead Skin and Flesh, heals Ulcers, Sores, and Discharging Wounds, restores the Hair, and beautifies the Skin.

Cuticura Soap, an exquisite Skin Beautifier and Toilet Requisite, prepared from Cuticura, is indispensable in treating Skin Diseases, Baby Humors, Skin Eruptions, Prickly Heat, Rashes, Sunburn, and Rough, Chapped, or Greasy Skin.

Cuticura Remedies are the only real Blood Purifiers and Skin Beautifiers free from mercury, arsenic, lead, zinc, or any other mineral or vegetable poison whatsoever. Guaranteed absolutely pure by the Analytical Chemists of the State of Massachusetts.

For Sale by all retail chemists and wholesale druggists and dealers in medicine throughout the world. CUTICURA, 50 cents per box, large boxes, \$1.00; CUTICURA SOAP, 25 cents; CUTICURA REMEDIES, 15 cents; CUTICURA RESOLVENT, per bottle.

Prepared by THE POTTER DRUG & CHEMICAL CO., Boston, U.S.A.

the Boot and Shoe line will do well to give
No trouble to show Goods. 11:4-3m

Continued from 2d page.

shall be treated," report that they have conspired the same. In view of the fact that the intro-